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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,921	03/17/2004	Cheng-Che Hsieh	AP4005-V551BA02	3081

46838 7590 07/24/2006

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EXAMINER	
BAREFORD, KATHERINE A	
ART UNIT	PAPER NUMBER
1762	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/801,921	HSIEH, CHENG-CHE	
	Examiner	Art Unit	
	Katherine A. Bareford	1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 2* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 2* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii et al (US6296731) in view of Smith et al (US 4612074), Japan 56-024138 (hereinafter '1380, Japan 54-026851 (hereinafter '851) and Ramsauer (US 4224362).

Fujii teaches a method of manufacturing a decorative sheet material. Figure 1 and column 4,lines 30-35. First a bottom film (first resin sheet 12) is supplied from a bottom film supplier. Figures 1-2 and column 6, lines 10-20. The bottom film passes between rollers. Figure 2 (rollers 27 and 61). The bottom film is passed around a transfer roller (embossing roller 16), where the surface of a transfer roller is formed with a texture so that the bottom film is shaped with the texture. Figures 1-2 and column 6, lines 20-35. A molten resin material is supplied as texture material from a texture material supplier (die 29) and to the transfer roller and bottom film. Figure 2 and column 6, lines 20-35. The molten resin can be thermoplastic. Column 2, lines 25-30. The molten resin material fills into lower sections of the texture and on the bottom film. Figure 2 and column 6, lines 20-35. As the molten material cools it will be adhered to

the bottom film as a bottom plate having the resin material. Figure 2 and column 6, lines 20-45. The bottom plate is passed to a removing roller behind the transfer roller for separating the bottom plate, at this stage the resin texture has condensed into a sold state. Figure 2 and column 6, lines 20-45 (as the texture remains). The bottom plate is sent to a printing roller pair placed on both sides of the bottom plate so as to print on the resin texture to form protruded texture on the resin texture, thus forming a printed substrate. Figure 1 and column 6,lines 40-50 and column 5,lines 55-65.

Fujii teaches all the features of these claims except (1) the bottom film output through a flat opening and passage through compressing rollers, (2) the use of rubber material as the texture material, (3) the doctoring to the texture material on the transfer roller, (4) the printing of dyes at the printing rollers, and (5) the cutting and punching to a desired size (claim 2).

However, Smith teaches forming multilayer embossed decorative sheets. Column 1, lines 10-15. A first bottom film is provided by outputting from a flat opening of a bottom film supplier and then the bottom film is passed through a pair of compressing rollers to provide the base in the desired condition. Figure 2 and column 3, lines 25-40. Later the bottom film is passed to a transfer roller where it is combined with a top resin film and the combined film is then embossed to provide a textured surface. Figure 2 and column 4, line 25-45 and column 5, lines 1-15. Afterwards the film is passed to a cutting and punching station to cut the sheet to a desired size. Figure 2 and column 6, lines 5-60.

'138 teaches that when extruding and texturizing material, it is well known to use either thermoplastic resin or rubber. Abstract.

WB '851 teaches ~~that~~ forming a textured embossed decorative sheet. Abstract. A base sheet is provided from a base sheet supplier. Abstract and figure 1. The base sheet travels to a textured transfer roller. Abstract and figure 1. Molten thermoplastic resin is extruded from a supplier onto the textured transfer roller. Abstract and figure 1. The applied resin is doctored with a doctor blade (material remover) against the transfer roller, such that the resin fills the lower sections of the texture. Abstract and figures 1-2. The doctor blade is located next to the application location of the thermoplastic resin on the transfer roller. Abstract and figure 1. Then the transfer roller with the applied doctored resin goes into contact with the base sheet and transfers the patterned doctored resin to the base sheet. Abstract and figure 1.

Ramsauer teaches that it is known to use printing rolls to apply coating to a protruded texture of an embossed surface. Column 1, lines 5-15 and column 5, lines 30-40 and figures 3 and 5c. The printing rolls can apply inks. Column 3,lines 10-35.

It is the Examiner's position that it is well known in the art of printing with inks that such inks can contain dyes. If applicant disagrees, he should so state in the next response.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fujii to provide the bottom film output through a flat opening and passage through compressing rollers and to cut and punch the finished

laminate to a desired size as suggested by Smith in order to efficiently provide the base film and to efficiently form the final product size all in one assembly line because Fujii teaches a method to apply a textured layer on a base film using lamination of a textured layer to a base film to form a multilayer decorative sheet and Smith teaches that when applying a textured layer of a base film using lamination of a textured layer to the base film, it is well known to form the base film by output through a flat opening and passage through compressing rollers and further that it is well known to cut and punch the finished laminated to a desired size all as part of the assembly processing line, thus forming a decorative "curtain" or "pad" from the formed sheet. It further would have been obvious to modify Fujii in view of Smith to use rubber at the applied texture material as suggested by '138 in order to provide a desirable texture surface, because Fujii in view of Smith teaches to use a molten thermoplastic resin texture material and '138 teaches that when extruding and texturizing material, it is well known to use either thermoplastic resin or rubber material. It would further have been obvious to modify Fujii in view of Smith and '138 to doctor the texture material on the transfer roller as claimed as suggested by '851 in order to provide a desirable texture pattern, because Fujii in view of Smith and '138 teaches to apply a textured layer on a base film using lamination of a textured layer applied to a textured transfer roller to a base film to form a multilayer decorative sheet and '851 teaches that when applying a textured layer on a base film using lamination of a textured layer applied to a textured transfer roller to a base film to form a multilayer decorative sheet it is well known to use a doctor to apply

the correct amount of material to the textured transfer roller. It would further have been obvious to modify Fujii in view of Smith, '138 and '851 to use a printing ink containing dyes as the top coating material as suggested by Ramsauer in order to provide a desirable coated laminate, because Fujii in view of Smith, '138 and '851 teaches to apply a textured layer on a base film using lamination of a textured layer to a base film followed by a top coating to form a multilayer decorative sheet and Ramsauer that it is well known to apply an ink layer to an embossed surface using a printing process, and it is further well known that inks conventionally are known to contain dyes.

3. Japan 60-071230 teaches that when applying a textured layer on a base film using lamination of a textured layer applied to a textured transfer roller to a base film to form a multilayer decorative sheet it is well known to use a doctor to apply the correct amount of material to the textured transfer roller. Abstract and figure 2.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine A. Bareford whose telephone number is (571) 272-1413. The examiner can normally be reached on M-F(6:00-3:30) with the First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571) 272-1423. The fax phone numbers

for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and for After Final communications.

Other inquiries can be directed to the Tech Center 1700 telephone number at (571) 272-1700.

Furthermore, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KATHERINE BAREFORD
PRIMARY EXAMINER